

IC 24-4.7-5

Chapter 5. Civil Remedies

IC 24-4.7-5-1

Deceptive acts

Sec. 1. A telephone solicitor who fails to comply with any provision of IC 24-4.7-4 commits a deceptive act that is actionable by the attorney general under this chapter.

As added by P.L.189-2001, SEC.1.

IC 24-4.7-5-2

Remedies

Sec. 2. In an action under this chapter, the attorney general may obtain any or all of the following:

- (1) An injunction to enjoin future violations of IC 24-4.7-4.
- (2) A civil penalty of not more than the following:
 - (A) Ten thousand dollars (\$10,000) for the first violation of IC 24-4.7-4.
 - (B) Twenty-five thousand (\$25,000) dollars for each violation after the first violation.

For purposes of this subdivision, each telephone call in violation of IC 24-4.7-4-1 is considered a separate violation.

- (3) All money the defendant obtained through violation of IC 24-4.7-4.
- (4) The attorney general's reasonable costs in:
 - (A) the investigation of the deceptive act; and
 - (B) maintaining the action.
- (5) Reasonable attorney's fees.
- (6) Costs of the action.

As added by P.L.189-2001, SEC.1.

IC 24-4.7-5-3

Voidable contracts

Sec. 3. In an action under this chapter, the court may void or limit the application of contracts or clauses resulting from deceptive acts and order restitution to be paid to an aggrieved consumer.

As added by P.L.189-2001, SEC.1.

IC 24-4.7-5-4

Statute of limitations

Sec. 4. An action brought under this chapter may not be brought more than two (2) years after the occurrence of the deceptive act.

As added by P.L.189-2001, SEC.1.

IC 24-4.7-5-5

Jurisdiction

Sec. 5. An action under this chapter may be brought in the circuit or superior court of Marion County.

As added by P.L.189-2001, SEC.1.

IC 24-4.7-5-6

Representation of state

Sec. 6. The attorney general may employ counsel to represent the state in an action under this chapter.

As added by P.L.189-2001, SEC.1.